

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WARREN DISTRIBUTION, Inc.,)

Plaintiff,)

v.)

KOST UNITED STATES OF AMERICA,)
Inc.,)

Defendant.)
_____)

8:06CV529

**ORDER OF RECUSAL
REQUEST FOR REASSIGNMENT**

This matter is before the court on the court's own motion pursuant to 28 U.S.C. § 455(a), which states: "Any . . . judge . . . of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." Upon review of the parties and the record in the above-designated case, the undersigned judge shall, and hereby does, recuse himself from the above-designated case pursuant to 28 U.S.C. § 455(a).

SO ORDERED.

DATED this 29th day of January, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge